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A MEMORIAL

OF THE

HON. GEORGE DAVIS.

BORN IN NEW HANOVER COUNTY, NORTH CAROLINA,
MARCH 1ST, 1820.

DIED IN WILMINGTON, N. C., FEBRUARY 23RD, 1896.

Cl.----- Bk.-----

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A MEMORIAL

OF THE

HON. GEORGE DAVIS,

Born in New Hanover County, North Carolina,
March 1st, 1820.

Senator from the State of North Carolina, in the
Congress of the Confederate States
of America.

Attorney General of the Confederate States of
America.

DIED IN WILMINGTON, N. C., FEBRUARY 23RD, 1896.

Prepared and published by direction of the Wilmington, N.C.
Chamber of Commerce.
1896.

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Very Truly Yours
Geo. L. Davis

Wilmington, N. C., March 5th, 1896.

At a special meeting of the Wilmington Chamber of Commerce called to receive the report of Messrs. James Sprunt, William Calder and William R. Kenan, a committee appointed at the last meeting of the Chamber "to prepare a suitable memorial and record" of the Honorable George Davis; the President, Mr. James H. Chadbourn, Jr., being in the chair, Mr. William Calder, on behalf of the said committee, presented and read the following:

Memorial.

YOUR committee, appointed to prepare a "suitable memorial and record" of our late distinguished and venerated citizen, the Honorable GEORGE DAVIS, approached the task assigned them with a profound sense of their own inadequacy to offer anything worthy of that noble life, but with an earnest desire to add to all the true and beautiful things that have been said of him some memorial that would more fully set forth the labors and achievements of the foremost citizen of our Cape Fear section.

To do this we have thought nothing could be more appropriate than a free use of his own writings and the testimony of his contemporaries at the various periods of his life—what *he* said, what *he* wrote and what he did, obtaining thus a clearer conception and reminder of his high morality, his great ability and his rare eloquence.

We are also moved to this course by the hope that it may inspire the rising generation with a desire to study his career, and in a grateful people the resolve to rescue from oblivion his scattered compositions.

Nearly fifty years ago, a gifted young orator, who had from boyhood held the admiration and confidence of his fellow-citizens of Wilmington, appeared before a large assembly in the old Presbyterian church on Front street, and said:

"He who has watched the sun in its bright course through the firmament and seen it gradually decline until it went down in darkness beneath the horizon, may turn from the contemplation with no feelings of sorrow or regret, for he knows that the period of its absence is mercifully ordained as a season of necessary repose to him and to all, and that the morrow will restore its beams to revive and reanimate all nature. But if the last

declining ray which struck upon his eyelids had brought to him the conviction that he had gazed for the last time upon the sun in the heaven—that henceforward there was to be no more rising nor setting, no morning nor evening, nor light, nor heat—no effulgent day, with all its glorious beauties and excellencies; but night and darkness, unrelieved save by the twinkling stars, were to be the law of earth forever—with what sensations would the poor wanderer view that last setting of the sun!

"With feelings somewhat akin to those I have imagined we behold the death of the great and good whom we love and reverence. But now, they were here, with all the generous impulses and excelling virtues that dignify and adorn humanity clustering thickly around them. We rejoiced in their presence, we were better under their benignant influence, we were happy in their smiles—we felt that it was day, and looked not into the future. They are gone. The places of earth shall know them no more forever. The mysterious law which loosens the silver cord and breaks the pitcher at the fountain, penetrates the heart. The darkness and the thick night of desolation are upon us. But we have more than the pale rays of the twinkling stars still left to guide and cheer. By the light of their lofty deeds and kindly virtues memory gazes back into the past, and is content. By the light of Revelation hope looks beyond the grave into the bright day of immortality, and is happy. So, with the consolation of memory and hope, let us take the lesson of the great calamity which has befallen our country."

The eloquent speaker was George Davis, and the occasion was an outpouring of our people to honor the memory of the illustrious Henry Clay.

Mr. Davis was born March 1st, 1820, on his father's plantation at Porter's Neck, then in New Hanover, now Pender, county. His father was Thomas F. Davis, and his mother Sarah Isabella Eagles, daughter of Joseph Eagles.

He left home at eight years of age, and attended the school of Mr. W. H. Hardin, at Pittsboro, after which he returned to Wilmington, where, upon the invitation of Governor Dudley, he

was prepared for college by Mr. M. A. Curtis (afterwards the Rev. Dr. Curtis, of Hillsboro), who then acted as tutor in the Governor's family at his residence on the corner of Front and Nun streets. He matriculated at Chapel Hill in the fourteenth year of his age, the youngest member of his class, and graduated when eighteen, with the highest honors of the University. We have before us the time-stained pages of his valedictory address, the lofty sentiments of which indicate an embryotic type of true manhood, which steadily developed with his years. After a polished and scholarly address to the audience and the President and Faculty, in which his love for his Alma Mater was manifest, he concluded as follows:

"And for us there is one consolatory thought that relieves in some slight degree the stinging pain and bitterness of this parting moment: It is the hope that we will leave behind us a not unremembered name—that we will still retain, though absent, a place in the memory of those whom we have loved with a brother's heart—whom we have clasped to our bosoms with more than fraternal affection. It is the hope that after we shall be no longer with you, when you tread those walks which we have loved, when you behold those fair scenes which used to gladden our eyes, some kind voice may whisper among you: "I wish they were here." This is our hope, this our prayer; for to be thus remembered is to be blessed indeed."

Upon Mr. Davis' return to Wilmington, immediately after his graduation, he began the study of law, probably in the office of his distinguished brother, Thomas Frederick Davis, who practiced for a time here, but who was afterwards led to advocate higher and more important interests than those of a worldly character, and who became Bishop of South Carolina in 1853.

Before Mr. Davis became of age, in the year 1840, he was licensed to practice in all the courts of law, and soon became a leader in his profession. Endowed with extraordinary talents, which he assiduously developed by close study and painstaking preparation, he never entered a cause without a thorough knowledge of its bearings. He was well versed in all depart-

ments of the law, thoroughly equipped in general literature, and was a logical and forcible debater. He was held in the highest esteem by his fellow-members of the bar, who recognized him among the ablest jurists of his time. His honesty of purpose and fidelity to his profession distinguished him through life.

Although a leader in this section of the Whig party, his ambition never led him to seek office, and throughout the forty years of his active professional and official life he won the calm respect and good opinion of all parties by his extensive legal acquirements, his quickness of perception, his soundness of understanding, and by his dignified and chivalric politeness.

On November 17th, 1842, he married Mary A. Polk, daughter of Thomas G. Polk, and great-grand daughter of Thomas Polk, one of the signers of the Mecklenburg Declaration of Independence. Mrs. Davis died 27th September, 1863.

One of the most attractive features of his well-rounded character was his cultivated and refined literary taste. His essays are among the choicest expressions of his times, and those upon the history and traditions of the Cape Fear region will be of priceless value to coming generations. We have already given the introduction of his celebrated eulogy on the life and public service of Henry Clay, and we shall recall by brief extracts some other literary gems which we trust may be gathered and publishd in full by his grateful and devoted people.

On the 8th of June, 1885, he delivered an address before the two literary societies of Chapel Hill on "The early men and times of the Lower Cape Fear," some of which we will quote, illustrative of his delightful style of narrative, and also as giving some indications of the qualities of the ancestry from which he sprung.

A lineal descendant of the founders of the Cape Fear settlements, he had an intense love for his native section, and it is an irreparable misfortune that he never undertook the writing of the history of Eastern Carolina. That he desired to do so we are assured, but the exigencies of life never permitted what would have been to him truly a labor of love.

In an address before the Historical and Scientific Society of Wilmington, on the 26th of November, 1879, entitled "A Study in Colonial History," he said:

"I have been persuaded that the civil commotion which is known in our history as Carey's Rebellion has never been fairly treated; that the historians, deriving all their information from the Government party, and treading solely in each others footsteps, have told only the story of that party, and have greatly misrepresented the motives, the characters and the actions of the men who were opposed to it. And I have desired, when time and opportunity should serve me, to undertake a careful examination of the subject in the hope, if possible, to undo some of the wrong of the historians. The present address is intended only as an introduction to that more serious work, and its object is to start a new train of thought and prepare the way for it.

"The historian of the United States has complained of the carelessness with which the history of North Carolina has been written. The reproach is but too just. As Colony and State not yet two centuries old, the story of her infancy and early progress is a sealed book to the many, and to the curious few is more imperfectly known than that of nations which flourished and decayed thousands of years ago. And if this is true of the State at large, it is eminently so of that section of it in which I live. The Cape Fear country has never had a historian. Its public records were always meagre and barren. Its private records, once rich and fruitful sources of history, have become much mutilated and impaired in the lapse of time by accident, and by the division and emigration of families. Its traditions are perishing, and are buried daily with our dead, as the old are passing away. And the little which has been preserved by the pen of the historian is scattered through volumes, most of which are rare, and some of them entirely out of print. I have thought, therefore, that, instead of sermonizing upon themes which were long ago threadbare, I could not better employ my allotted hour than in giving you a sketch, imperfect as it may be, of the early Times and Men of the Lower Cape Fear. I shall not aspire to

the dignity of history. My time and opportunities for research have been too limited, and the subject is too full for the compass of an ordinary address. I assume the humbler, but still pious, duty of connecting recorded facts, of perpetuating traditions and of plucking away the mosses which have gathered on the tombs of some of our illustrious dead. In so doing I may be accused of sectional pride. But I can afford to brave such a charge, for I feel that the motive is higher and purer; that it springs from a loyal devotion to the honor of my whole State, and a sincere admiration for the character of her whole people, and especially of her good and great that are now no more. My single desire is to awaken a new interest in her history by assuring you that you will find there her amplest vindication from the taunts and aspersions which are so freely flung against her. And I would fain hope that I need offer no apology for my subject, since I come to speak to North Carolinians of things that touch nearly the fame of the good old State, and the memory of her noble dead."

In an address before the Literary Societies of Chapel Hill, on the early Times and Men of the Lower Cape Fear, he said:

"I begin, now, my sketch with some passages from English history, extracting first from Hume's account of the Irish Rebellion of 1641: 'There was a gentleman called Roger More, who, though of narrow fortune, was descended from an ancient Irish family, and was much celebrated among his countrymen for valor and capacity. This man first formed the project of expelling the English, and asserting the independency of his native country. He secretly went from chieftain to chieftain and roused up every latent principle of discontent. He maintained a close correspondence with Lord Maguire and Sir Phelim O'Neale, the most powerful of the old Irish. By conversation, by letters, by his emissaries, he represented to his countrymen the motives of a revolt,' etc. "By these considerations More engaged all the heads of the native Irish in the conspiracy.

"It is not my purpose to pursue the history of this rebellion. It was disastrous to the Irish, and deservedly so, for they

disgraced themselves by barbarities which shock humanity. With these, however, it is certain that More and Maguire had nothing to do. For Maguire was taken in the outset of the revolt at the unsuccessful attack upon the Castle at Dublin, and was condemned and executed. And of More, Hume himself says: 'The generous nature of More was shocked at the recital of such enormous cruelties. He flew to O'Neale's camp, but found that his authority, which was sufficient to excite the Irish to insurrection, was too feeble to restrain their inhumanity. Soon after he abandoned a cause polluted by so many crimes, and he retired into Flanders.'

"He must have been a man of no ordinary character, and justly entitled to the admiration of all lovers of freedom, who, though driven into exile and branded as a rebel and a traitor, could yet draw forth language like the foregoing from the apologist and defender of the Stuarts! Fortunately, the world will not now take its definition of treason from those who bow to the Divine right of kings.

"Two years later another event occurred, of minor importance in English history, but worthy of notice here. In 1643 the city of Bristol was captured by the forces of the Parliament. At that time Robert Yeoman or Yeamans was sheriff, or, as some say, an alderman of the city, and active and zealous in the service of the King, and after its surrender he was condemned and executed for his loyalty."

It will appear hereafter how these two events (the rebellion and exile of More and the execution of Yeamans, so entirely disconnected in history) have a very important bearing upon the subject of this sketch.

"Soon after the proposals of the Proprietors were first published some gentlemen of Barbadoes, dissatisfied with their condition, and tempted by the liberal offers which those proposals held out, in September, 1663, dispatched a vessel under command of Captain Hilton to reconnoitre the country along the Cape Fear river. They explored both branches of the river for many miles, and it is remarkable that two noted places,

named by them Stag Park and Rocky Point, are so called and known at this day. Returning to Barbadoes in February, 1664, they published an agreeable account of their voyage and of the country which they had been sent to examine. Among the planters who had fitted out this expedition was John Yeamans, eldest son of Robert Yeamans, the sheriff of Bristol, who had been hanged at the taking of that city in 1643. He had emigrated to Barbadoes with the view of mending his fortunes, and being pleased with the report of the expedition, he determined to remove to Carolina. He went to England to negotiate with the Proprietors, and received from them a grant of large tracts of land, and at the same time he was knighted by the King in reward for the loyalty and misfortunes of his family. Returning from England, in the autumn of 1665, he led a band of colonists from Barbadoes to the Cape Fear, and, induced by the traces of civilization which were left by the New England colony, he pitched upon the spot they had inhabited, and purchasing from the Indians a tract of land thirty-two miles square, he laid the foundations of a town which he called Charlestown, in honor of the reigning monarch. Martin and Bancroft declare that the site of the town is still a matter of uncertainty; but the doubt is only with the historians. Tradition has fixed the spot beyond dispute. It is on the north side of Old Town Creek, at its junction with the river, nine miles below Wilmington.

"In the last decade of the seventeenth century a name appeared in the history of South Carolina, destined soon to be distinguished there, and near a century later to become still more illustrious in the annals of the Cape Fear. The head of this family was James More, the descendant, and it is believed the grandson, of Roger More, who led the Irish Rebellion in 1641. In the wreck of his family and fortunes he, too, like so many others, had looked towards the setting sun, and fixed his eyes upon the 'summer land' of Carolina. He had inherited all the rebellious blood of his grandsire—his love of freedom, his generous ambition, and his bold and turbulent spirit. He soon acquired great influence in the Province, and upon the death of

Governor Blake, in 1700, he was elected Governor by the deputies of the Proprietors.

"This Governor, James Moore, married the daughter of Sir John Yeamans; and thus, by a singular fortune, these families, which had suffered from such opposite causes in the old world, became united in the new; and the blood of Robert Yeamans and of Roger More mingled in North Carolina to breed some of the noblest champions of her freedom, and the pioneers of permanent civilization upon the Cape Fear."

From this union of the Yeamans and the Mores, offspring on the one side of the martyred adherent of the rights of kings, and on the other of the ardent rebel exiled from a country he could not free, Mr. Davis was a lineal descendant, and we may well believe that in him were united all the worthiest attributes of each line of his sturdy ancestry—love of liberty tempered by respect for law and prestige, sound conservatism subservient to a lofty patriotism, and all directed and inspired by the rare genius of his own God-given soul.

Another address which has been widely quoted was prepared for a charitable object and delivered before a large audience in Thalian Hall. It was printed afterwards in the *South Atlantic Magazine* of this place, January, 1879, and is entitled "An Episode in Cape Fear History."

In it occurs this notable passage, which we may call the apotheosis of the slaveholder:

"Yeamans returned to Barbadoes, and in the autumn of that year, as we have seen, led his colony to the Cape Fear. He governed there for five years with gentleness, humanity and prudence, and then returned to Barbadoes. In 1671 he was appointed a Landgrave of Carolina, with a grant of 12,000 acres of land, to be located at his pleasure. And in the same year he went to settle a plantation on the Ashley river, in South Carolina, where a colony under Governor Sayle had landed the year before. This seems to be a simple announcement of a very commonplace fact; but it was the little cloud no bigger than a man's hand. It was the most portentous event of all our early history.

For he carried with him from Barbadoes his negro slaves; and that was the first introduction of African slavery in Carolina. (Bancroft, 2,170; Rivers, 169)

"If as he sat by the camp-fire in that lonely Southern wilderness, he could have gazed with prophetic vision down the vista of two hundred years, and seen the stormy and tragic end of that of which he was then so quietly organizing the beginning, must he not have exclaimed with Ophelia, as she beheld the wreck of her heart's young love—

"'O, woe is me! To have seen what I have seen, see what I see!'

"Slavery is in the grave, and nothing can disturb its eternal rest. I would not, if I could, raise it from the dead. The slave is free. God speed him in his freedom, and make him worthy of it. The slaveholder has passed into history at the cannon's mouth. His future life must be there, and there he will live forever. He did the State some service. Was great in council and in action, clear in honor and in truth, and always a man wherever true manhood was wanted. He knew how to compel the love of friends and the respect of enemies, and how to build his proudest monument in his country's greatness. But there are those who never loved him, and whose fashion still it is to make him the embodiment of evil, the moral scarecrow of the times. True, he ended well. True, that as he stood and died by his hearthstone, fighting, as he believed, for God and country, he was something for men and gods to behold. But what is that to them? They desire to see nothing but his humiliation, and to their distorted vision Belisarius, blind and begging at the Roman gates, was not half so poor a sight. They cannot forgive him for having been great, and they delight to howl the death-song of his greatness. They trample on its grave. They cover it with curses, and Pelion upon Ossa they pile their offal upon it. And they think that they have buried it out of their sight forever. And do they think that the spirit which brought this Republic out of chaos, and directed it for the fifty years of its truest greatness and purity, can be annihilated by a proclama-

tion? And do they believe that Washington and Jefferson, and Jackson and Clay, and Stonewall and Lee, and all the long roll of our heroes and patriots and statesmen, are but dead names, pale ghosts that can but squeak and gibber at their fallen greatness? That they have left no living memories in their children's hearts, no sacred seed that can once more bourgeon and bloom for our country's honor? Oh, no! That spirit is not dead. It will rise again. Not in the old likeness, for old things have passed away. But transformed and quickened into a new life. Once more it will make itself a name for the nation to sound. Once again it will step to the front and pass first in fight as it was wont to do whenever great opinions are clashing, or a great cause imperilled. Once again to the front, whenever and wherever freedom's battle is to be fought. Once again to the front, no more to contend with brethren in arms, but only in the generous strife for the glory and honor of a common country."

And again, this description of Cape Fear:

"Looking, then, to the Cape for the idea and reason of its name, we find that it is the southermost point of Smith's Island, a naked, bleak elbow of sand, jutting far out into the ocean. Immediately in its front are the Frying Pan Shoals, pushing out still further twenty miles to sea. Together they stand for warning and for woe, and together they catch the long, majestic roll of the Atlantic as it sweeps through a thousand miles of grandeur and power from the Arctic towards the Gulf. It is the play-ground of billows and tempests, the kingdom of silence and awe, disturbed by no sound save the sea-gull's shriek and the breaker's roar. Its whole aspect is suggestive, not of repose and beauty, but of desolation and terror. Imagination cannot adorn it. Romance cannot hallow it. Local pride cannot soften it. There it stands to-day, bleak, and threatening, and pitiless, as it stood three hundred years ago, when Greenville and White came nigh unto death upon its sands. And there it will stand, bleak, and threatening, and pitiless, until the earth and the sea shall give up their dead. And as its nature, so its name is now, always has been, and always will be, the Cape of Fear."

In May, 1856, Mr. Davis was invited by the Board of Trustees of Greensborough Female College to address the Literary Societies of that celebrated Institution, and his speech on this occasion, the publication of which was not anticipated by its author, has been regarded by many as one of the best efforts of his life.

In that address occurs the following passage:

"A rich and well stored mind is the only true philosopher's stone, extracting pure gold from all the base material around. It can create its own beauty, wealth, power, happiness. It has no dreary solitudes. The past ages are its possession, and the long line of the illustrious dead are all its friends. Whatever the world has seen of brave and noble, beautiful and good, it can command. It mingles in all the grand and solemn scenes of history, and is an actor in every great and stirring event. It is by the side of Bayard as he stands alone upon the bridge and saves the army; it weeps over the true heart of chivalry, the gallant Sidney, as with dying hand he puts away the cup from his parched and fevered lips. It leaps into the yawning gulf with Curtius; follows the white plume of Navarre at Ivry; rides to Chalgrove field with Hampden; mounts the scaffold with Russell, and catches the dying prayer of the noble Sir Harry Vane. It fights for glory at the Granicus, for fame at Agincourt, for empire at Waterloo, for power on the Ganges, for religion in Palestine, for country at Thermopylæ, and for freedom at Bunker Hill. It marches with Alexander, reigns with Augustus, sings with Homer, teaches with Plato, pleads with Demosthenes, loves with Petrarch, is imprisoned with Paul, suffers with Stephen, and dies with Christ. It feels no tyranny and knows no subjection. Misfortunes cannot subdue it, power cannot crush it, unjust laws cannot oppress it. Ever steady, faithful and true, shining by night as by day, it abides with you always and everywhere."

In 1861 the shadow of a great national calamity appeared—the whole country was convulsed with conflicting emotions. The political leaders of North Carolina were divided upon the

issue. Mr. Davis loved the Union, and steadfastly counseled moderation. His appointment by Governor Ellis as a member of the Peace Commission, to which further reference is made, created a feeling of absolute confidence in the minds of the conservative citizens.

The desire of the people of North Carolina was to see peace maintained whether the Union was preserved or not, and for this purpose the Legislature on January 26, 1861, appointed Commissioners to conventions to be held at Montgomery, Richmond and Washington City. These Commissioners were Hon. Judge Ruffin, Hon. D. M. Barringer, Hon. David S. Reid, Hon. John M. Morehead, Hon. D. L. Swain, J. R. Bridgers, M. W. Ransom and George Davis, Esqrs. Mr. Davis went to Washington City as a member of the Peace Congress which assembled on February 4, 1861. The moral weight of the position, and the character of the gentlemen then and there assembled, gave to the significance of the occasion portentous aspects. The Congress sat with closed doors, ex-President Tyler was elected President, and on taking the chair made one of the most eloquent and patriotic speeches ever heard. This Conference was in session until February 27th, 1861, when Mr. Davis telegraphed: "The Convention has just adjourned *sine die*, after passing seven articles of the Report of the Committee, much weakened. The territorial articles passed by a majority of one vote. North Carolina and Virginia voted against every article but one."

It is difficult for those of us who remember only the intense unanimity of the Southern people after the war was fairly inaugurated, to realize how in those previous troublous days the minds of men were perplexed by doubts. Up to this time the Union sentiment in North Carolina had been in the ascendant. The people waited upon the result of this Congress, and in this section especially was the decision of many reserved until Mr. Davis should declare his final convictions. His announcement of them marked an epoch in his life, and in that of countless others, for weal or woe.

Immediately upon his return home, the following correspondence took place:

WILMINGTON, 2d March, 1861.

Dear Sir:—Your friends and fellow-citizens are exceedingly anxious to hear from you with reference to the proceedings of the "Peace Congress," and to have your opinion as to their probable effect in settling the distracting questions of the day.

Will you be kind enough to give them a public address at such time as may suit your convenience?

Respectfully yours,

JAMES H. DICKSON,
ROBERT H. COWAN,
D. A. LAMONT,
THOMAS MILLER,
DONALD MACRAE,
ROBERT G. RANKIN,
JAMES H. CHADBOURN,
A. H. VANBOKKELEN,
O. G. PARSLEY.

TO GEORGE DAVIS, Esq.

WILMINGTON, 2d March, 1861.

Gentlemen:—Being under the necessity of leaving home to-morrow, I will comply with the request of my fellow-citizens, as intimated in your note, by addressing them at such hour and place this evening as you may appoint.

Respectfully yours,

GEO. DAVIS.

TO DR. JAS. H. DICKSON, and others.

The newspaper reports of the public meeting, and of Mr. Davis' powerful speech which followed, do not convey to our minds the overwhelming sensations of those who listened to this masterpiece of oratory. Mr. Davis was obliged to close before he had finished his address. The people were profoundly

moved, the hearts of all were deeply stirred. Many left the hall while he was speaking, for they could not restrain their emotion.

The *Daily Journal* of March 4, 1861, says: "In accordance with the general desire, George Davis, Esq., addressed his fellow-citizens on last Saturday, March 2d, at the Thalian Hall in reference to the proceedings of the late Peace Congress, of which he was a member, giving his opinion as to the probable effect of such proceedings in settling the distracting questions of the day. Although the notice was very brief, having only appeared at mid-day in the town papers, the Hall was densely crowded by an eager and attentive audience, among whom were many ladies." The report of the speech is very full, and deals with all the vital questions which were discussed at the Peace Congress. Mr. Davis said that "he shrunk from no criticism upon his course, but, indeed, invited and sought for it the most rigid examination. He had endeavored to discharge the duties of the trust reposed in him faithfully, manfully and conscientiously, and whatever might be thought of his policy, he felt that he had a right to demand the highest respect for the motives which actuated him in pursuing that policy." Referring to his own previous position, what he believed to be the position of the State, the course of the Legislature in appointing Commissioners, and the objections to the action of the "Peace Congress," Mr. Davis said he had gone to the "Peace Congress" to exhaust every honorable means to obtain a fair, an honorable and a final settlement of existing difficulties. He had done so to the best of his abilities, and had been unsuccessful, for he could never accept the plan adopted by the "Peace Congress" as consistent with the right, the interests or the dignity of North Carolina.

Mr. Davis concluded by "emphatically declaring that the South could never—never obtain any better or more satisfactory terms while she remained in the Union, and for his part he could never assent to the terms contained in this report of the "Peace Congress" as in accordance with the honor or the interests of the South."

When Mr. Davis had concluded Hon. S. J. Person moved

that the thanks of the meeting be tendered to Mr. Davis for the able, manly and patriotic manner in which he had discharged the duties of his position as a Commissioner from North Carolina. The motion was enthusiastically carried.

On June 18, 1861, Mr. Davis and Mr. W. W. Avery were elected Senators for the State of North Corolina to the Confederate Congress. In alluding to his election the *Journal*, the organ in this section of the Democratic party, says:

"Mr. Davis in old party times was an ardent and consistent member of the opposition, and was opposed to a severance from the North, until he felt satisfied by the result of the Peace Conference that all peaceful means had been exhausted."

In 1862 he, with W. T. Dortch, was again elected Senator by the Legislature.

In January, 1864, he was appointed by President Davis Attorney General in his Cabinet. The commission bears date 4th January, 1864.

The high esteem in which Mr. George Davis was held by his devoted chief is attested in the following letters addressed by the Confederate President to his faithful Attorney General after the evacuation of Richmond:

CHARLOTTE, N. C., 25th April, 1865.

Hon. GEO. DAVIS, C. S. Attorney General:

My Dear Sir:—I have no hesitation in expressing to you my opinion that there is no obligation of honor which requires you, under existing circumstances, to retain your present office. It is gratifying to me to be assured that you are willing, at any personal sacrifice, to share my fortunes when they are least promising, and that you only desire to know whether you can aid me in this perilous hour to overcome surrounding difficulties. It is due to such generous friendship that I should candidly say to you that it is not probable that for some time to come your services will be needful.

It is with sincere regret that I look forward to being separated from you. Your advice has been to me both useful and cheer-

ing. The Christian spirit which has ever pervaded your suggestions, not less than the patriotism which has marked your conduct, will be remembered by me when in future trials I may have need for both.

Should you decide (my condition having become rather that of a soldier than a civil magistrate) to retire from my Cabinet, my sincere wishes for your welfare and happiness will follow you; and I trust a merciful Providence may have better days in store for the Confederacy, and that we may hereafter meet, when, our country's independence being secured, it will be sweet to remember how we have suffered together in the time of her sorest trial.

Very respectfully and truly, your friend,

JEFFERSON DAVIS.

CHARLOTTE, N. C., April 26, 1865.

Hon. GEORGE DAVIS, Attorney General:

My Dear Sir:—Your letter dated yesterday, tendering your resignation has been received. While I regret the causes which compel you to this course, I am well assured that your conduct now, as heretofore, is governed by the highest and most honorable motives. In accepting your resignation, as I feel constrained to do, allow me to thank you for the important assistance you have rendered in the administration of the Government, and for the patriotic zeal and acknowledged ability with which you have discharged your trust.

Accept my thanks, also, for your expressions of personal regard and esteem, and the assurance that those feelings are warmly reciprocated by me.

With the hope that the blessings of Heaven may attend you and yours,

I am, most cordially, your friend,

JEFFERSON DAVIS.

This affectionate regard for the beloved leader of the Cape Fear has been the subject of repeated conversations in late years

between a member of your committee and the distinguished lady who still bears the honored name of Jefferson Davis, and who was ever faithful and true to him and to the people whom he loved.

Upon the receipt of the sad intelligence of his death, she writes from a sick bed the following tender and sympathetic lines :

" I am able to sit up a little, and regret that I am not strong enough to say as much about dear Mr. George Davis as my heart dictates.

" He was one of the most exquisitely proportioned of men. His mind dominated his body, but his heart drew him near to all that was honorable and tender, as well as patriotic and faithful, in mankind. He was never dismayed by defeat, but never protested. When the enemy was at the gates of Richmond he was fully sensible of our peril, but calm in the hope of repelling them, and if this failed, certain of his power and will to endure whatever ills had been reserved for him.

" His literary tastes were diverse and catholic, and his anxious mind found relaxation in studying the literary confidences of others in a greater degree than I have ever known any other public man except Mr. Benjamin. Upon being asked one day how he was, he answered: 'I am very much comforted and rested by Professor Holcombe's Literature in Letters,' which was one of the few new books which came out during the Confederacy. One of the few hard things I ever heard him say was when some one asked him if he had read Swinburne's Laus Veneris, and added, 'You know it is printed on wrapping paper and bound in wall paper.' Mr. Davis answered: 'I have never thought wall paper wholesome, and am sorry to know there was enough wrapping paper on which to print it.'

" He was fond of tracing the construction of languages, and the varients from one root were a favorite subject of conversation with him.

" When he fell in love and married a charming woman, the whole of Richmond rejoiced with him, and expressed no doubts of the happiness of either. Mr. Davis' public life was as

irreproachable as his private course. Once when my husband came home wearied with the divergence of opinions in his Cabinet, he said: 'Davis does not always agree with me, but I generally find he was right at last.'

"I cannot, of course, tell you about his political opinions, except that he was one of the strictest construers of the Constitution, and firmly believed in its final triumph over all obstacles to freedom.

"My husband felt for him the most sincere friendship, as well as confidence and esteem, and I think there was never the slightest shadow intervened between them.

"I mourn with you over our loss, which none who knew him can doubt was his gain."

Following his arrest at the close of the war, the late Attorney General was imprisoned for some months in Fort Hamilton, sharing to that extent the vicarious sufferings of his chief, and was finally released upon parole not to leave the State of North Carolina.

During this period Mr. Davis' second marriage was celebrated in Weldon, on the 9th of May, 1866, to Monimia Fairfax, daughter of Dr. Orlando Fairfax, of Richmond, Va. (Mrs. Davis died 27th July, 1889.)

At this time earnest solicitations were made, and flattering inducements offered to Mr. Davis to remove to a Northern State, and practice his profession in a more extended field. Doubtless such a step would have inured greatly to his worldly advantage, but he resisted all the allurements, and declared his intention to live among his own people, and share the fate of those whom he loved and who had shown him indubitable proof of their affection for him.

On the evening of the 3d of November, 1876, during the Tilden-Vance campaign, Mr. Davis delivered in the opera house, which was filled to its capacity, a speech of great eloquence and power, upon the political issues of the day, which was reported for the *Morning Star* newspaper, in its issue of the 4th of November, and editorially referred to as follows:

"The speech to which we listened is a very memorable one. It will long abide with us as one of those felicitous, rounded, finished efforts of a highly endowed and noble intellect that will be 'a memory and a joy forever.' We have pigeon-holed that great speech in the escritoire of our own mind, where we have stored but few of the productions of the men of our generation.

"As a composition the effort of Mr. Davis was very admirable. There was humor, there was sarcasm, there was an exquisite irony, there were flashes of wit, there was an outburst of corrosive scorn and indignation that were wonderfully artistic and effective. At times a felicity of illustration would arrest your attention, and a grand outburst of high and ennobling eloquence would thrill you with the most pleasurable emotion. The taste was exceedingly fine, and from beginning to end the workings of a highly cultured, refined, graceful and elegant mind was manifest.

"There were passages delivered with high dramatic art that would have electrified any audience on earth. If that speech had been delivered before an Athenian audience in the days of Pericles, or in Rome when Cicero thundered forth his burning and sonorous eloquence, or in Westminster Hall, with Burke, and Fox and Sheridan among his auditors, he would have received their loudest acclaims, and his fame would have gone down the ages as one of those rarely gifted men who knew well how to use his native speech, and to play with the touch of a master on that grand instrument, the human heart. We feel confident that no man of taste, culture and intelligence who heard Mr. Davis will charge us with undue enthusiasm or excessive laudation. It was unquestionably the matured production of an exceedingly gifted mind, and produced the happiest effect upon a large and highly interested audience.

"And now, with this general statement of our impressions, how shall we attempt to reproduce even a meagre abstract of so able and imposing an effort? We could refer at length, if opportunity allowed, to the scheme of his argument, to his magnificent peroration, in which passion and imagination swept the audience

and led them captive at the will of the magician; to the exquisitely apposite illustrations, now quaint and humorous, and then delicate and pathetic, drawn with admirable art from history and poetry and the sacred Truth—to these and other points we might refer, but it would be in vain. How can words, empty words, reproduce the glowing eloquence and entrancing power of the human voice, when that voice is one while soft as Apollo's lute, or resonant as the blast of a bugle under the influence of deep passion? How can the pen convey to others the sweet melody of harp or viol, or how can human language bring back a forgotten strain, or convey an exact impression that is made by the tongue of fire when burdened with a majestic eloquence."

On the 31st of March, 1880, Mr. Davis and Judge Thomas Ruffin were selected by the Commissioners named in the Act of the General Assembly authorizing the sale of the Western North Carolina Rail Road to W. J. Best and associates, to act as counsel for the State, and to prepare the deed and contract.

For their distinguished services in this matter, which are well known, he and Judge Ruffin refused to accept any compensation.

In January, 1878, Governor Vance offered Mr. Davis the Chief Justiceship of the Supreme Court, made vacant by the death of Chief Justice Pearson, which was declined for reasons shown in the *Raleigh Observer* newspaper of December 22d, 1877, as follows:

HON. GEORGE DAVIS.

"As was natural, when the time came to look around for men to put upon the highest judicial tribunal in the State, and people everywhere began to seek out the ablest and the best, the people of North Carolina instinctively, and, we may say, almost with one consent, cast their eyes upon Mr. George Davis, of Wilmington. As pure as he is able, and as able as he is true and devoted to the land that gave him birth, North Carolina never had a more worthy, a more brilliant or more devoted son than he, nor one better fitted in all the qualities of head and heart for the high position to which people everywhere had expected him soon to be called. It is with unfeigned regret, therefore, that we publish the following letter to a gentleman in

this city announcing Mr. Davis' purpose not to allow his name to be used in connection with the nomination for the Supreme Court bench, and giving his reasons therefor:

WILMINGTON, N. C., December 20, 1877.

My Dear Sir:—You will remember that in a personal interview some time ago you desired to be informed whether I would accept a nomination for the Supreme Court bench, and were kind enough to intimate that you believed the Democratic party would tender me the nomination if I desired it. I replied that it was not a thing to be determined lightly or hastily; that I would give it a deliberate and serious consideration, and at the proper time would communicate to you my decision.

In my judgment that time has now arrived. The subject has of late been urged upon me so frequently, and from so many different quarters, that silence is no longer proper, if even possible.

No man can hold in higher estimation than I do the dignity of such a position. To fill it worthily would be the highest reach of my ambition. And even to be esteemed worthy of it by any considerable portion of the bar and people of North Carolina is an honor which touches me profoundly.

But in this thing, as in so many others, I am obedient to necessity. I cannot live upon the salary. And barely to live is not all my need. One of my first duties in life now is to endeavor to make some provision for the little children that have come to me in my age. At the bar such an expectation may not be unreasonable when better times shall come. But upon the bench I should be compelled to abandon such a hope forever.

I must therefore decline to permit my name to go before the Convention of the Democratic party in connection with such a nomination.

You are at liberty to make such use of this letter as you may think proper.

Very truly, your friend,

GEO. DAVIS.

We also present a few of the letters written to Mr. Davis with special reference to this subject:

RALEIGH, N. C., 14th January, 1878.

My Dear Sir:—Want of time only has prevented me from writing to congratulate you, not upon the tender of the Chief Justiceship, but upon the universal manifestation of the opinion that you were the first man in the State to whom it ought to be tendered, and that your acceptance of the place would satisfy every demand, and silence every claim in regard to the appointment. I do not think your friends, especially personal friends, I mean, here, can take any credit to themselves for Governor Vance's action—certainly I cannot. He approached me, and not I him, having come to my office for the purpose. He said that from the time the death of Chief Justice Pearson was announced to him, he being then at Charlotte, until the time of speaking, and all along the road whenever the matter was referred to, the universal expression was that you were the person to whom the people were looking to be made Chief Justice. The Governor said, aside from his desire to meet the expectation of the people, and to make a good appointment, there were considerations personal to himself which caused him to desire your acceptance of the position; and it would relieve him from embarrassment in choosing from other gentlemen who might desire the place. Your appointment, he was satisfied, would not give offence to any aspirant not appointed. * * * * * *

I doubt if a Chief Justiceship was ever before tendered to any one so exclusively for the reason that personal fitness and popular demand concurred in dictating it. Nor were the personal considerations that influenced the Governor less complimentary to yourself; as, but for the other considerations moving him to the appointment, you would not have been available to relieve him from embarrassment. For to relieve that embarrassment it was needed the new Chief Justice should be *facile princeps*.

* * * * * * * * * *

I have availed myself of the first opportunity to write to you

and say what you were entitled to know, though I was not at liberty to use my information in a public way.

And so, with the best wishes for you and yours, now and ever, I am,

Very respectfully,

W. L. Saunders.

Hon. Geo. Davis, Wilmington, N. C.

North Carolina, Executive Department,
Raleigh, N. C., January 24th, 1878.

Hon. Geo. Davis, Wilmington, N. C.:

Dear Sir:—I am in receipt of your letter in regard to the Chief Justiceship, and although it does not call specially for a reply, I cannot forbear making a brief response.

I desire to avail myself of this opportunity to say to you, in person, what I have often said and always thought in your absence, that you are one of the men who have steadily pursued principle for its own sake, spurning alike the temptations of office and the lures of ambition when they came not strictly within the utmost requirements of dignity and manly honor. As such there has come to me, as the result of my position, no greater happiness than the ability to testify my appreciation of your character and worth, and of the great service your example has been in shaping and toning the political ethics of our society. In attempting to honor you by the bestowment of that great office I have also attempted to show what is my own sense of State honor, as well as to give expression to the general voice of our people. In this respect I was happy in the belief that I could not err as between you and the distinguished gentleman who was finally chosen.

Earnestly hoping that you may not be disappointed in the attainment of those ends for the sake of which you declined the Chief Justiceship, and with my best wishes for your prosperity and happiness, I am, dear sir, as ever since first I saw your face in your own home in December, 1854, I have been,

Your friend and obedient servant,

Z. B. Vance.

One of Mr. Davis' most beautiful compositions was dictated to an amenuensis a few weeks before his death, and while he was disabled by paralysis. It was a memorial of the life and work of the late W. T. Walters, of Baltimore, President of the Atlantic Coast Line. The occasion was Mr. Davis' last appearance in public, at the annual meeting of the Wilmington and Weldon Rail Road Company, during which resolutions of respect and honor to the memory of the original projector of the Atlantic Coast Line system were adopted.

Mr. Davis was counsel for the Wilmington, Columbia and Augusta Rail Road Company, formerly the Wilmington and Manchester Rail Road Company, from the date of its existence up to his death.

Upon the death of Mr. William A. Wright, he succeeded him as counsel for the Wilmington and Weldon Rail Road Company.

During a recent interview the Executive of both railroads, President Warren G. Elliott, said to one of your Committee, and with evident great feeling :

" My admiration of Mr. George Davis was unbounded. Your request that I should add to the memorial of his life which you are preparing on behalf of the Chamber of Commerce a few lines on the character of this good man, is one that I cannot well resist, while any effort on my part to do justice to the occasion will necessarily fall far short of the mark.

" Having known Mr. Davis personally for only a few years (for I first met him after his face was turned to the setting sun, and his feet were on the decline of the road), I must leave to others the pleasant task of recording their personal recollections of his earlier career, and confine myself to the impressions made upon me by a close personal acquaintance during the declining years of his beautiful and exemplary life.

" It was my good fortune, in the discharge of my official duties, to have the benefit of his advice and counsel, and if ever a difficult or doubtful question arose it was always solved by him on the side of truth and justice.

" Mr. Davis gave to us a splendid illustration of every manly

and noble virtue. He was a good man, a just man, a strong man; a patriotic citizen, full of love and affection for his native State; a lovable, companionable friend; affectionate and tender in his domestic relations; a brave and fearless man, with a love for the right and a scorn for the wrong; chivalrous and honorable, a true and genuine type of the Olden School—the type that never had its superior, and that never will.

"It is almost a useless task that we should undertake to place on record any memorial of Mr. Davis as a lawyer. His name and his fame will be handed down from generation to generation. The recognized head of his noble profession in this State, no future historian can ever truthfully record the great deeds of the best and ablest sons of this noble old Commonwealth without paying tribute to George Davis of New Hanover as an honor to his profession, and as a lawyer of the highest eminence and purest type. He was indeed a skillful lawyer, a wise counsellor, able, strong and vigorous. Appreciated by all as a leader in his profession, he has bequeathed to the younger members of the Bar an example that they should love to follow and to reverence; a legacy to all of them of inestimable value, for his life was a lofty ideal, a standard to be lived up to, and worthy to be followed.

"He has laid down his armor when the tide was at its ebb, after having enjoyed during a long and eventful life the greatest riches that this world can bestow—the genuine love, reverence, respect and admiration of his fellow-men—with his integrity unstained, and without a whisper of detraction against his motives, his character or his purposes; and the Christian grace and dignity with which he met the final summons was but the crowning glory of an honorable and exemplary career on this earth."

The last appearance of Mr. Davis before a general audience was at the mass-meeting in the Opera House, in 1889, to do honor to the memory of ex-President Davis. He was already

in feeble health, and unequal to an oration, but the tenderness and sweetness of his personal reminiscences, as he presented the side of his friend's character that was least known to the world, will abide in the memory of those who heard him, like the lingering fragrance of flowers that have faded and passed away. In the concluding passage, in which he spoke of the President's religious faith, he unconsciously reflected his own simple and abiding trust in God; and we can find no words which more fittingly describe the Christian life of *our* Mr. Davis, than those that he uttered of his dead chieftain:

"He was a high-souled, true-hearted Christian gentleman. And if our poor humanity has any higher form than that, I know not what it is. His great and active intellect never exercised itself with questioning the being of God, or the truth of His revelations to man. He never thought it wise or smart to scoff at mysteries which he could not understand. He never was daring enough to measure infinite power and goodness by the poor, narrow gauge of a limited, crippled human intellect. Where he understood, he admired, worshipped, adored. Where he could not understand, he rested unquestioningly upon a faith that was as the faith of a little child—a faith that never wavered, and that made him look always undoubtingly, fearlessly, through life, through death, to life again."

In that address also occurs the following passage, which is worthy of all preservation as the declaration of one of commanding intellect and wide experience, after he had reached the limit of three-score years and ten, as to what attribute he considered of the highest value in human character:

"My public life was long since over; my ambition went down with the banner of the South, and, like it, never rose again. I have had abundant time in all these quiet years, and it has been my favorite occupation, to review the occurrences of that time, and recall over the history of that tremendous struggle; to remember with love and admiration the great men who bore their parts in its events.

"I have often thought what was it that the Southern people

had to be most proud of in all the proud things of their record? Not the achievements of our arms! No man is more proud of them than I; no man rejoices more in Manassas, Chancellorsville and in Richmond; but all nations have had their victories. There is something, I think, better than that, and it was this, that through all the bitterness of that time, and throughout all the heat of that fierce contest, Jefferson Davis and Robert E. Lee never spoke a word, never wrote a line that the whole neutral world did not accept as the very indisputable truth. Aye, truth was the guiding star of both of them, and that is a grand thing to remember; upon that my memory rests more proudly than upon anything else. It is a monument better than marble, more durable than brass. Teach it to your children, that they may be proud to remember Jefferson Davis."

As we contemplate the lofty qualities of the noble man who has been taken from our community and Commonwealth, we cannot repress the sigh of regret that such greatness is no more. The soaring thought, the brilliant imagination, the balanced judgment, the profound learning, we do not expect to see every day, nor in every generation. The stainless honor, the broad patriotism, the noble disinterestedness of his public service, are unhappily too little seen in our public men. But it is surely not too much to hope that the example of his blameless life will not be lost upon the people among whom he lived so long, and so honorably.

How well he exemplified in his own career the beautiful message, which he brought in his early years to those just entering upon the duties of life:

"Rather be yours the generous ambition to shine only in the pure excellence of virtue and refinement. * * * Go forth, then, into the world, and meet its trials and dangers, its duties and pleasures, with a firm integrity of heart and mind, looking ever onward and upward, and walking erect before the gaze of

men, fearless, because without reproach. When the glad sunshine is upon you, rejoice and be happy. When the dark hours come, light them with a gentle patience and a Christian faith. * * * This above all: 'To thine own self be true, and it must follow as the night the day, thou canst not then be false to any man.'"

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